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Dear Mr Puxon

Hatch

Thank you for your e:mail to my colleague, Chris Valentine on 17 September 2002, and in particular your reference to the case of Thomas Clarke –v- Secretary of State for the Environment and Tunbridge Wells Borough Council.

I am unable to agree with your interpretation of this case. The Council has taken legal advice which confirms that the case imposes no duty upon a Local Authority to provide equivalent accommodation to travellers, such as a caravan. There is only discretion for Local Authorities to provide pitches on public sites rather than bricks and mortar, and in areas where there are no available pitches, travellers would be offered housing. The new Code of Guidance confirms that principle.

I am advised that the Local Authority do not have a duty to provide like for like accommodation or a caravan site where it does not have any available.

Yours sincerely



**Simon Redmore
Strategic Director**